

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE REAL ESTATE BOARD

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
MRS. TROY P. CRAIG,	:	LS0412024REB
RESPONDENT.	:	

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

Mrs. Troy P. Craig
7801 88th Avenue, Lot 113
Pleasant Prairie, WI 53158

Division of Enforcement
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Real Estate Board
Department of Regulation & Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Real Estate Board. The Board has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Mrs. Troy P. Craig, (DOB 12/01/1933) is duly licensed as a Real Estate Broker in the state of Wisconsin (90-46656). This license was first granted on 12/30/1992.
2. Respondent's most recent address on file with the Wisconsin Real Estate Board is 7801 88th Avenue, Lot 113, Pleasant Prairie, WI, 53158.
3. On January 8, 2002 Respondent listed a property for sale, located at 5032 – 14th Avenue, Kenosha, WI. The property had been foreclosed upon; the seller was a financial institution.
4. On or about April 2, 2002, Dick’s Roofing conducted an inspection of the roof. Dick’s Roofing performed the inspection because the seller had directed the Respondent to obtain three estimates for roofing repairs. Dick’s Roofing concluded that the roof should be torn down and rebuilt because it was in “poor condition,” that it was leaking in the “area below the chimney,” and that it would “last no more than one year.”

5. On or about April 11, 2002, Carl's Construction Company, Inc., also gave an estimate regarding the roof. Carl's Construction Company concluded that the roof was in "good condition," because the "roof on house (was) not missing shingles" and because the "Seller indicate(d) no leakage problems."

6. The buyer received the estimate from Carl's Construction Company, Inc., but did not receive a copy of the estimate from Dick's Roofing, nor did Respondent otherwise provide the information contained in the estimate from Dick's Roofing in writing.

7. Shortly after closing on the property the buyer discovered leaks.

8. "A licensee, when engaging in real estate practice, shall disclose to each party, in writing and in a timely fashion, all material adverse facts that the licensee knows and that the party does not know or cannot discover through reasonably vigilant observation." Wis. Admin. Code § RL 24.07(2) (in relevant part).

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Board has jurisdiction to act in this matter, pursuant to Wis. Stat. § 452.14, and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. The conduct described in paragraph(s) 3-6, above, constitutes a violation of Wisconsin Administrative Code § RL 24.07(2).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The license of **Mrs. Troy P. Craig**, to practice as a Real Estate Broker in the State of Wisconsin is hereby **REPRIMANDED**.

IT IS FURTHER ORDERED that:

2. Respondent shall, within one hundred and twenty (120) days of the date of this Order, complete no less than eight (8) hours of education in ethics and contracts, which shall **NOT** be applied to Respondent's continuing education requirements.

3. Respondent shall, within thirty (30) days from the date of this Order, pay partial costs of this proceeding in the amount of four hundred seventy-five (\$475.00) dollars. Payment shall be made payable to the Wisconsin Department of Regulation and Licensing.

4. Payment and proof of successful completion of education shall be mailed to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

5. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit any payment of the forfeiture as set forth above, or fails to timely submit proof of completion of education as set forth above, the Respondent's license (90-46656) SHALL BE SUSPENDED, without further

notice or hearing, until Respondent has complied with the terms of this Order.

6. This Order is effective on 12/2/04.

WISCONSIN REAL ESTATE BOARD

Richard Kollmansberger	12-2-2004
A Member of the Board	Date